

**PLAINFIELD TOWNSHIP
BOARD OF SUPERVISORS SPECIAL MEETING
APRIL 16, 2012**

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A Special Meeting of the Plainfield Township Board of Supervisors was held on Monday, April 16, 2012 at the Municipal Building, 6292 Sullivan Trail, Nazareth, Pa. 18064.

Vice-Chairman, Glenn Borger called the meeting to order at 9:00 a.m.

ROLL CALL:

The following Supervisors were present: Vice-Chairman, Glenn Borger, Steve Hurni, Jane Mellert and William Schmauder. Also present was Executive Secretary, Joyce Lambert.

Chairman, Randy Heard was absent.

PURPOSE OF MEETING:

The purpose of today's meeting was to take action on intervention on the lawsuit filed by Bethlehem Township against the City of Allentown and the Pennsylvania Attorney General.

It was noted that Chairman, Randy Heard, although he was absent, had informed Secretary Lambert that he was in favor of approving the intervention.

William Schmauder was concerned about what this was going to cost the township if this continues on.

Steve Hurni indicated his concern also was how the money would be apportioned for the lawsuit. He has found out that the information provided to the municipalities showed that Plainfield Township share would be \$5,000 and that is exactly what we would be required to pay. If there is any money left over, we would get that back.

If more money was needed, they could ask the municipalities for more, but we are not under any obligation to give it.

Steve reported that one of the Supervisors from Forks Township is against this. He wanted to know how we could sue the state.

Jane Mellert informed the Board that Hanover Township Manager Jay Finnigan, Jr. had sent her an article out of Business Week regarding a Sports Arena out in California where they tried to do the same thing. This was done through Bond issues.

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This is a very similar thing that Allentown is trying to do and instead of them even financing it on their own, they are looking for all of the outlying municipalities to join in.

Jane indicated that the reason that she was going to vote for intervention was because the information that we were sent indicates that the legislation that was passed that created this Tax Zone was geared toward a City of the Third Class on the effective date when the population would be 106,000 and not more than 107,000 based on the 2000 Federal Census.

Allentown, Lehigh County, Pennsylvania located in Lehigh Valley is the only city in the Commonwealth of Pennsylvania that meets the definition of a city in this article. Most municipalities depend on EIT revenues to fund necessary public services including the operation of Public Works Departments, Police Services, EMS as well as General Governmental functions.

Jane concern was that if something like this is allowed to go through and continue, that they will try it again somewhere else. Her question at the TCC Meetings was, "Are we setting a precedence that this could happen again?"

Steve Hurni indicated that Solicitor Backenstoe said that we had a stronger base for going in on the lawsuit because of the .25% Open Space EIT that we would also be losing.

Glenn Borger indicated that he was against this in the beginning. Legislature cannot pass a law that only one party can benefit from.

Having no further discussion from the Board, motion was made by Steve Hurni and seconded by Jane Mellert to authorize Solicitor Backenstoe to take action to file the intervention on the lawsuit filed by Bethlehem Township against the City of Allentown and the Attorney General. Motion approved. Vote 4-0.

Secretary Lambert, on behalf of the Township Treasurer, Virginia Koehler, asked the Board if they would approve taking the money to pay for this from the Host Retro Fund. It was noted that we do not need to pay the money at this time, but when we do, it should go under an account for Special Legal from the Host Retro Fund.

Having no further business to come before the Board, motion was made by Steve Hurni and seconded by Jane Mellert to adjourn the meeting. Motion approved. Vote 4-0.

Respectfully submitted,

Joyce A. Lambert, Executive Secretary
Plainfield Township
Board of Supervisors